

STATE OF NEVADA
BOARD OF HEARING AID SPECIALISTS

MINUTES

MARCH 31, 2006

1. Call to Order and Roll Call

Chair Vander Wall called the meeting to order at 3:17 P.M. at the South Valley Library, Diamond Conference Room, Reno, Nevada. Roll call showed the following individuals present:

Board Members:

Dr. Kathleen Vander Wall, Chair
Tracy Sandborn, Secretary
Rick Vaughn, Member
Robert Lindstrom, Member

Staff:

Christina Harper, Board Administrator
Susan Lee, Deputy Attorney General

Public:

There was no public present.

Chair Vander Wall determined that a quorum was present.

Chair Vander Wall welcomed Member Lindstrom and Deputy Attorney Susan Lee to the Board.

2. Approval of Minutes

A. November 19, 2005 Board Meeting Minutes

Chair Vander Wall moved to approve the November 19, 2005 minutes as presented, seconded by Member Sandborn. The motion passed unanimously.

3. Review Policy Procedure Manual

Mrs. Harper stated that there has been a change in the State Administrative Manual (SAM Manual) in the amount allowed for mileage to 44.5 cents per mile and the addition of the statement which indicates that a client may return a hearing aid within 30 day for a return for any reason.

Chair Vander Wall moved to approve the changes to the Policy Procedure Manual to include the increase in the mileage and the addition of the statement regarding the return of hearing aids for any reason within the 30 day period, seconded by Member Vaughn. The motion passed unanimously.

4. Report of Secretary/Treasurer
A. Financial Report

Mrs. Harper reviewed the account balance sheet. The Board has the following current assets as of December 31, 2005: checking account - \$12,985.10; funds in a CD account - \$21,249.87; for total assets of \$34,234.97.

Chair Vander Wall moved to accept the Financial Report as of December 31, 2005, seconded by Member Sandborn. The motion passed unanimously.

Chair Vander Wall noted that the Board received the \$1,500 investigative fee back from the Attorney General's Office for the initiation of an investigation.

Chair Vander Wall granted a five minute break.

5. Report of Board Administrator
A. Submit Application Profiles and Board Acceptance of those Applications

The Board reviewed the following licensure applications:

Following a review of Carrie Lynn Page-Costello's application, it was indicated that the following items were needed for her application to be complete: 1) two personal reference letters. The Board agreed that if the two missing pieces of information are received, then Ms. Page-Costello may sit for the next exam.

B. Review of Quarterly Report for Apprentices

Mrs. Harper stated that apprentice reports from July until December 2, 2005 have been received from Mr. Lujan. There was a discussion regarding where (which office) is Mr. Ken Lujan currently working.

Mrs. Harper stated that Mr. Lujan is also requesting a change in sponsor from Mr. Van Hoose to Ms. Linda Moses. Ms. Moses indicated in a letter that she works full time in the Henderson office and can provide direct supervision of Mr. Lujan. Mrs. Harper stated that she has spoken with Ms. Moses and told her that apprentice reports are due to the Board for Mr. Lujan until he passes his Nevada Hearing Aid Specialist exam and receives his Nevada license.

Following a discussion, Chair Vander Wall moved that the Board send a letter to Linda Moses and Rusty Van Hoose indicating that the apprentice reports need to be filed in a timely manner and apprentice reports are due from Rusty Van Hoose for the time period of December 3, 2005 until February 13, 2006 and Linda Moses needs to submit an apprentice report from February 14, 2006 until present. The motion was seconded by Member Sandborn. The motion passed unanimously.

The Board reviewed the quarterly reports from the following Apprentices: Timothy Blake; Angela Moughis; Ken Lujan; and Elizabeth Lynner. It was noted that Angela

Moughis and Robert Lindstrom has passed their licensure exam and are now Hearing Aid Specialists.

The Board noted that an apprentice report for Steven Hwang was not received and a report from January through March 16, 2006 needs to be submitted from his sponsor, Walter Kelly. Mrs. Harper noted that Mr. Kelly has submitted a letter withdrawing his sponsorship of Mr. Hwang effective immediately, March 16, 2006. Mrs. Harper stated that she has spoken with Mr. Hwang and told him that he may not practice until he has secured another sponsor, with Board approval, and that he must return his Hearing Aid Specialist Apprentice card.

Chair Vander Wall moved to accept the apprentice reports from Steven Hwang, Elizabeth Lynner and Tim Black as presented, seconded by Member Vaughn. The motion passed unanimously.

C. Results of January Licensure Examination

Mrs. Harper stated that Richard Lukengea, Clarrisa Silva, and Robert Lindstrom all passed the licensee exam and they have all received their license to practice.

6. Report of Board Chair

A. Schedule Next License Examination

Chair Vander Wall insisted that the testing place needs to be an appropriate testing environment to include a quiet atmosphere in which for examinees to take the exam.

Chair Vander Wall proposed that all testing be held in her office, which allows for a controlled and quiet testing scenario. Member Sandborn also agreed that that testing environment needs to be controlled and quiet. Chair Vander Wall stated that this is in the best interest for the individuals taking the exam.

It was discussed that individuals taking the exam must bring their own equipment to take the exam and Chair Vander Wall gives examinees the option of using the audiometer in her office or they may use their own equipment.

The Board discussed scheduling the next exam for May 13, 2006 beginning at 10:00 A.M. at Chair Vander Wall's office in Reno.

Chair Vander Wall brought up an ethical issue in which Steven Lehrol, whose application was approved and approved to take the licensing exam, has practiced in Nevada which includes performing hearing tests and selling hearing aids to individuals in Nevada without a license while employed by Robert Schroeder.

There was a question if Mr. Schroeder's office is charging Nevada sales tax on these hearing aids, as Mr. Schroeder's office is in Idaho.

Mrs. Harper stated that Mr. Lehrol has admitted to testing and selling hearing aids without a Nevada license for fear of losing his job. The Board questioned if they have

the authority to deny Mr. Lehrol the opportunity to take the licensing exam based upon his admission of testing and selling hearing aids without a Nevada license, and if Mr. Lehrol does sit for the exam – can the Board charge him with a fine? Ms. Lee stated that she will research this issue and respond to Mrs. Harper.

Member Sandborn moved to hold the next exam on May 13, 2006 beginning at 10:00 A.M. at Chair Vander Wall's office in Reno, seconded by Chair Vander Wall. The motion passed unanimously.

The Board directed Mrs. Harper to send a letter to Steven Lehrol notifying him that pending further investigation on his testing and selling of hearing aids without a Nevada license allegations, the Board is revoking the approval of his application and ability to take the licensing exam.

Member Lindstrom and Member Sandborn moved to send a letter to Robert Schroeder, Nevada licensed hearing aid specialist, requesting why he allowed an unlicensed individual to perform testing and sell hearing aids in Nevada without a license unsupervised, and a response must be received within ten days, if no response is received the Board will take appropriate disciplinary action at the next meeting, seconded by Chair Vander Wall. The motion passed unanimously.

A break was granted at 4:32 P.M.
The meeting reconvened at 4:45 P.M.

B. Schedule Board Meetings for 2006

The board agreed to hold meetings in the month of July, November and March and return to holding three meetings and three testing exam a year with the possibility of a fourth meeting, if necessary.

Chair Vander Wall moved to schedule the next Board meeting for July 22 as the first choice and July 29 as the second choice in Las Vegas, seconded by Member Sandborn. The motion passed unanimously.

7. Discussion and Development of Legislative Bill Draft for 2007 Legislature

The Board reviewed previous bill draft requests that were submitted to the Governor and the Legislature.

Following discussion, Chair Vander Wall moved submit the following statute change of limiting the amount of time an individual may allow their license to lapse from five years to one year, seconded by Member Sandborn. The motion passed unanimously.

Following discussion, Chair Vander Wall moved that the ceiling of fees of NRS 637A.012 be raised 100% for a bill draft request, seconded by Member Vaughn. The motion passed unanimously.

It was discussed that communication needs to be established between the Board and the members of the Legislature. Chair Vander Wall stated that there may be a potential problem with the requirement that a Board member must be present for legislative hearings and the non-acceptance of written testimony by the Legislature. It was discussed that the Board members have jobs and scheduled clients with appointments and it is not feasible to take off a whole day or days with no notice to be available for a legislative hearing. Chair Vander Wall stated that she will contact a legislative member to see if they would be willing to sponsor the bill draft requests of the Board.

Ms. Lee stated that a Board member before the legislature would make the best impression for a bill draft request.

8. Discussion and Development for the Unethical Behavior of a Hearing Aid Specialist and Individuals Applying for Licensure

This issue was already discussed in Item #6.

9. Public Comment

There were no public comments.

10. Adjournment of Meeting

Chair Vander Wall adjourned the meeting at 5:20 P.M.